



AF/GAY -
E. Chas 3711
10-8-98

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Michael J. Sullivan

FOR : IMPROVED MULTI-LAYER
GOLF BALL

SERIAL NO. : 08/815,556

FILED : March 12, 1997

EXAMINER : M. Graham

ART UNIT : 3304

LAST OFFICE ACTION : October 22, 1997

ATTORNEY DOCKET NO. : SLD 2 035-1-1

Cleveland, Ohio 44114
September 28, 1998

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TECHNOLOGY CENTER 3700

Supplemental Showing Under 37 C.F.R. § 1.195 For Introducing
Information After Notice of Appeal

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

This supplemental showing is presented subsequent to the filing of
Applicant's Appeal Brief in the above-captioned application on July 20, 1998. This
supplemental showing is presented in order to introduce additional information

CERTIFICATE OF MAILING

I hereby certify that this Supplemental Showing Under
37 CFR §1.195, in triplicate, is being deposited with the
United States Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner for Patents,
Washington, D.C. 20231 on September 28, 1998.

By: Mary Ann Temesvari
Mary Ann Temesvari

pertaining to the nonobviousness of the claimed subject matter. This information relates to the commercial success, praise within the industry, and the extensive and wide-spread adoption of the commercial embodiment of the claimed golf ball - the Top-Flite® Strata™ golf ball.

Exhibit 1 notes that the Strata™ ball is the number one multi-layer ball on tour. The significant advantage and increase in tour rankings by utilizing the Strata™ ball is also illustrated.

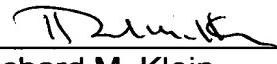
Exhibits 2-4 announce the winner of the 62nd Masters and the 1998 British Open, Mark O'Meara utilizing the Strata™ ball.

Exhibits 5 and 6 illustrate the remarkable commercial success and adoption in the industry of the Strata™ ball.

For at least these reasons, it is respectfully submitted that the information submitted herewith, i.e. Exhibits 1-6, also be considered in conjunction with the information submitted with Applicant's Appeal Brief, i.e. Exhibits 1-19, and be admitted and considered by the Board.

Respectfully submitted,

FAY, SHARPE, BEALL,
FAGAN, MINNICH & McKEE


Richard M. Klein
Reg. No. 33,000
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114-2518
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MEET THE NEW MASTERS CHAMPIONS: MARK O'MEARA AND TOP-FLITE STRATA.



TOP FLITE
STRATA
1

Soft ZS Balata™
cover for maximum spin control

Firm inner layer
for distance

Soft, high energy core
for Tour feel



CONGRATULATIONS MARK O'MEARA,
THE 62ND MASTERS CHAMPION

Top-Flite and Etonic congratulates Mark O'Meara for winning his first green jacket and his first major tournament as a professional.



SPALDING®

TOP FLITE

Etonic

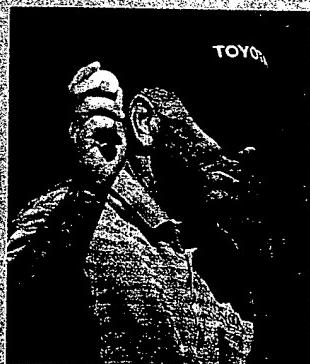
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PLAY THE BALL THAT WON THE MASTERS AND THE BRITISH OPEN: TOP-FLITE.



MARK O'MEARA 1998 MASTERS CHAMPION
1998 BRITISH OPEN CHAMPION

1998 MAJOR WINS

TOP-FLITE	2
Bridgestone	1
Maxfli	0
Titleist	0

Congratulations to Mark O'Meara on winning his second Major tournament of the year, adding the British Open's Claret Jug to his Master's Green Jacket. Mark plays the Top-Flite Strata, the new #1 ball in golf's Major Championships.



TECHNOLOGY TO IMPROVE YOUR GAME **TOP-FLITE**

A TRADITION IN GOLF FOR OVER 100 YEARS **SPALDING**

©1998 Spalding Sports Worldwide. Sold through Golf Professional Shops. Spalding is a member of the National Golf Foundation.

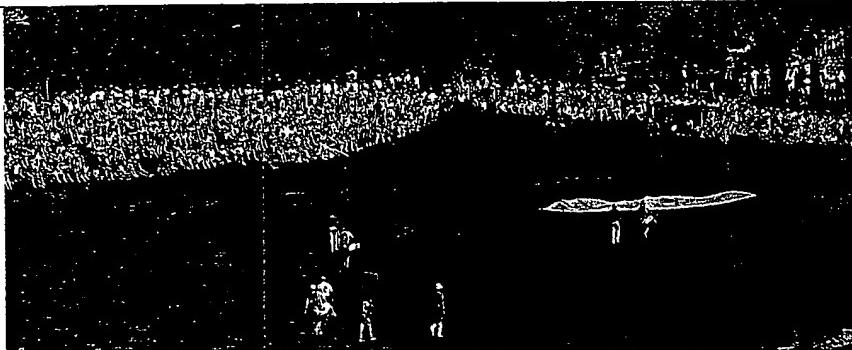
STRATA: THE #1 MULTI-LAYER BALL ON TOUR.



Soft ZS Balata™ cover for maximum spin control

Firm inner layer for distance

soft, high energy core for Tour feel



In April 1996, Mark O'Meara switched from a wound ball and became the first PGA Tour Professional to play our new multi-layer Strata. Later that month, he used it to win the Greater Greensboro Open. In May, D.A. Weibring also switched to the Strata and, he promptly won the Greater Hartford Open. Like anything else on Tour that performs this well, the ball caught on. Today, over 150 touring professionals representing every Tour worldwide make the



JIM FURYK, #1 TOP-TEN FINISHERS, RYDER CUP TEAM MEMBER 1997

The Strata's breakthrough multi-layer

construction continues to redefine performance for top pros. Its firm inner layer produces long distance off the tee, while its super soft ZS Balata™ cover and patented high energy core combine to produce unequalled spin and control around the green. What you get is a ball that performs from tee to green. One that helped Jim Furyk post 11 top-ten finishes during the 1997 season.

Of course, we've adapted the multi-layer technology to perform well for the low handicap player as well. The Strata Advance uses the same multi-layer Strata Tour construction. But it features a Hyper-Elastic inner layer for additional distance off woods and long irons while the soft, cut-proof Z-Balata cover and high energy core deliver fantastic feel and spin on short irons around the green.

So, whether it's the Strata Tour for unmatched control or the

TOUR RANKINGS

Tour Player	Before Strata	After Strata
Mark O'Meara	20	8
Jim Furyk	48	20
Paul Stankowski	55	26
Bill Glasson	52	39
David Ogrin	103	59

Strata Advance for additional distance, why not buy a sleeve from your pro shop and test them against your regular ball? After all, the Strata's breakthrough multi-layer technology has worked for the top pros. We're confident it will help to improve your game as well.

In only eighteen months, 150 tour professionals worldwide have switched to the Strata Tour. With outstanding results, 28 first place finishes and hundreds more in the top ten.



**BILL GLASSON
1997 LAS VEGAS INVITATIONAL**



**MARK O'MEARA
1997 AT&T PEPPER BRAUCH PRO-AM**



**PAUL STANKOWSKI
1997 UNITED AIRLINES HAWAIIAN OPEN**



DEDICATED TO IMPROVING YOUR GAME

TOP FLITE

MEET THE NEW MASTERS CHAMPIONS: MARK O'MEARA AND TOP-FLITE STRATA.

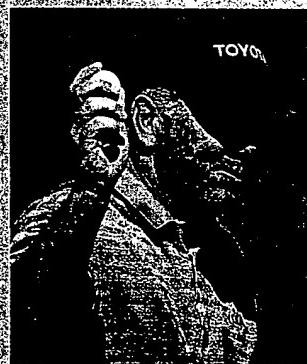


TOP FLITE
STRATA

Firm inner layer
for distance

Soft ZS/Balata™
cover for maximum spin control

Soft, high energy core
for Tour feel



CONGRATULATIONS MARK O'MEARA,
THE 62ND MASTERS CHAMPION

Top-Flite and Etonic congratulate Mark O'Meara for winning his first green jacket and his first major tournament as a professional!



SPALDING

TOP FLITE

Etonic

PLAY THE BALL THAT WON THE MASTERS AND THE BRITISH OPEN: TOP-FLITE.



MARK O'MEARA 1998 MASTERS CHAMPION
1998 BRITISH OPEN CHAMPION

1998 MAJOR WINS

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Maxfli	0
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TECHNOLOGY TO IMPROVE YOUR GAME

TOP-FLITE

A TRADITION IN GOLF FOR OVER 100 YEARS

SPALDING

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PLAY THE BALL THAT WON THE MASTERS AND THE BRITISH OPEN: TOP-FLITE.



MARK O'MEARA 1998 MASTERS CHAMPION
1998 BRITISH OPEN CHAMPION

1998 MAJOR WINS

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TOP-FLITE

A TRADITION IN GOLF FOR OVER 100 YEARS **SPALDING**

©1998 Spalding Sports Worldwide. Sold through Golf Professional Shops. Spalding is a member of the National Golf Foundation.

IN EIGHTEEN MONTHS OVER 250 TOUR PLAYERS HAVE SWITCHED TO THE TOP-FITE® STRATA™ CARE



Since 1996, over 250 Tour professionals worldwide have switched to the Strata-Tour. With outstanding results, 28 first place finishes and hundreds more in the Top Ten, Small wonder it's caught on. The Strata's breakthrough multi-layer construction optimizes a firm inner layer that plays long off the tee while its super-soft ZS Balata™ cover and patented high-energy core combine for unequalled spin and control around the green. It's improved their game; without a doubt, it'll help yours.

TOP-FITE

HOWEVER, IT SEEMS TO
BE CATCHING ON.

Wendy Doolan	Steve Bottomley
Gail Graham	Gail Graham
Derrick Cooper	Derrick Cooper
Kelli Kuehne	Kelli Kuehne
Ernie Gonzalez	Ernie Gonzalez
Caroline Pierce	Caroline Pierce
Richard Ames	Richard Ames
Charles Coady	Charles Coady
Andrea Tombandi	Andrea Tombandi
John Pirocco	John Pirocco
Angie Ridgeway	Angie Ridgeway
Bob E. Smith	Bob E. Smith

Paul Stankowski
Peter Jordahl
Heather Drew
Greg Bruckner
R.W. Eaks
Paul Stankowski

Phil Takarangi				
Bill Gehriger				
Billy Ray Brown				
Timmy Armour III				
Andrew Magee				
John Adams				
Scott Gump				
John Morse				
Steve Page				
Gene Sayers				
Howard Twitty				
Karen Davies				
John Davies				

Shirley Furlong	Shirley Furlong
Ellie Gibson	Ellie Gibson
Sheri Turner	Sheri Turner
Kevin Althoff	Kevin Althoff
Barry Christensen	Barry Christensen
Dave Zimmerman	Dave Zimmerman
Mark Reiter	Mark Reiter
Richard Bosall	Richard Bosall
David Tapling	David Tapling
Daren Lee	Daren Lee
Robert Lee	Robert Lee
Ben Tinning	Ben Tinning
Masimo Scarpa	Masimo Scarpa

Warren Bennett	Warren Bennett
Mike Haward	Mike Haward
Chris DiMarco	Chris DiMarco
Lee Trevino	Lee Trevino
Joe Acosta	Joe Acosta
Billy Dowens	Billy Dowens
Tommy Gillis	Tommy Gillis
Chris Johnson	Chris Johnson
Andrew Oldcorn	Andrew Oldcorn
Ed Poni	Ed Poni
Mitchell Long	Mitchell Long
Jeff Hall	Jeff Hall
John Egan	John Egan
Mike Dunn	Mike Dunn
Long	Long
Jeff Egan	Jeff Egan

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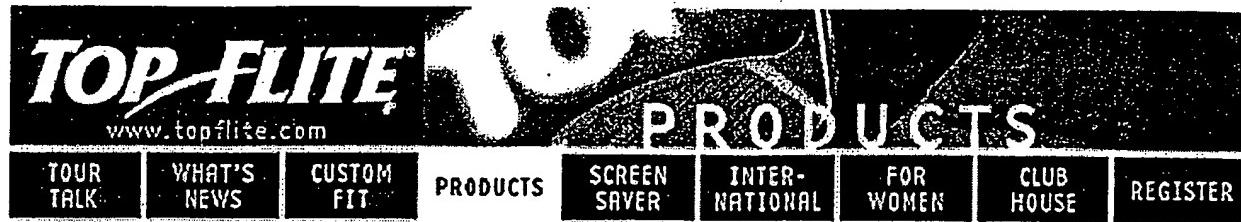
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HOWEVER, IT SEEMS TO BE CATCHING ON

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卷之三

Chris DiMarco
Lee Trevino
Joe Acosta
Billy Dowless
Tommy Gillis
Chris Johnson
Andrew Oldcorn
Ed Fitch
Ed Fornieles
Andrew Oldcorn
Ed Fornieles
Michael Long
Jeff Julian
John Dunn



TOP FLITE[®] STRATA[™]

The #1 Multi-Layer Ball On Tour.

Top-Flite's Breakthrough Multi-Layer Technology Is The Most Remarkable Yet.

Since the turn of the century, Spalding has led the way in technology, from the first dimpled golf ball in 1909 to today's line-up of high performance balls for every level of play. In fact, over the past 5 years, no other U.S. manufacturer has obtained more patents covering materials and construction than Top-Flite.

And now, with the multi-layer technology of the Top-Flite® Strata™ Advance, the performance bar has been raised higher than ever before.



Top-Flite Strata Tour's Impressive First Year on the PGA Tour.

Dozens of professionals worldwide have already switched to the new Top-Flite Strata Tour, including former wound ball players Mark O'Meara and Jay Don Blake. And the results have been impressive. Since switching to Strata Tour, O'Meara has reached the top 5 on the PGA Tour in money, in scoring, in greens in regulation and in birdies. Strata Tour has also recorded numerous Tour victories in its first year such as: O'Meara's win at Greensboro, D.A. Weibring's GHO victory, Walt Morgan's first place honors at the SPGA Ameritech, not to mention several international wins.



Top-Flite Strata Tour. Patented Multi-Layer Construction Sets a New Standard in Golf Ball Performance.

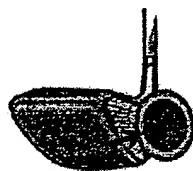
The multi-layer design of Top-Flite Strata Tour has redefined golf ball technology. By combining a super soft ZS Balata™ cover with a firm inner layer and a high-energy soft core, the new Strata Tour offers excellent distance off woods and longer irons with unequaled feel and control on short iron shots and around the green.

Distance Comparison			
DRIVER	Top-Flite Strata Tour Titleist Tour Balata Titleist Professional Maxfli HT	Longest 6 Yards 3 Yards 4 Yards	
IRON	Top-Flite Strata Tour Titleist Tour Balata Titleist Professional Maxfli HT	Longest 4 Yards 4 Yards 2 Yards	
30-YARD PITCH	Top-Flite Strata Tour Titleist Tour Balata Titleist Professional Maxfli HT	Highest 200 RPM 600 RPM 1300 RPM	

Computer-Aided Design and Breakthrough Materials Make State-Of-The-Art Performance Possible.

The Strata Tour construction is revolutionary both inside and out. Its core composition is a patented polymer that delivers a remarkable combination of softness (for feel) and maximum distance. The patented inner layer, which is the impressive power behind Strata Tour, contains an exclusive formulated ionomer material.

Top-Flite Strata Tour has a new ZS Balata™ outer cover that is also patented. Its advanced polymer construction makes it not only soft and resilient, but cut resistant. This translates into added confidence on those all-important scoring shots around the green. Just as important, Top-Flite Strata Tour also provides consistent, reliable performance shot after shot, and hole after hole.



With woods and long iron shots, the firm inner layer and high energy core combine to produce low spin and long distance.



With short iron shots and around the green, the ZS Balata™ cover produces unequalled spin control with balata ball feel.

Strata Advance Specifications

Ball Size	1.68
Core Size	1.317
Thickness	0.035
Cover	0.050
Mantle Layer	0.050
Cover	16
Shore D Hardness	70
Mantle Layer	70
Dimple Pattern	Tru-Dimple
Number Of Dimples	222

**You'll See The Top-Flite
Strata Tour On The
Professional Tours... And At
Golf Professional Shops.**

The performance of Top-Flite Strata Tour continues to attract the attention of top tour players worldwide. Players like Jim Furyk and 1996 GGO winner Mark O'Meara have seen the difference Strata Tour can make in their game, and have made Strata their ball of choice for 1997.

The Top-Flite Strata Tour comes with a 100% money-back guarantee if you are not completely satisfied.

For more information on Top-Flite Strata Tour, call 1-800-225-6601.

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**You want to know more about Strata's Product Benefits and Features?**

| [Tour Talk](#) | [What's New](#) | [Custom Fit](#) | [Products](#) | [Screen Saver](#) | [International](#) | [For Women](#) | [Club House](#) | [Register](#) |
Top-Flite 1997